

EXHIBIT A


Service of Process Transmittal Summary

TO: PSORisk ManagementServiceofProces
 PROVIDENCE HEALTH & SERVICES
 C/ORISK MANAGEMENT, 1801 LIND AVENUE SW
 #9016
 RENTON, WA 98057-9016

RE: Process Served in Washington

FOR: PROVIDENCE ST. JOSEPH HEALTH FOUNDATION (Domestic State: WA)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: SHANNON SPENCER, individually and on behalf of all others similarly situated vs.
 PROVIDENCE ST. JOSEPH HEALTH FOUNDATION

CASE #: None Specified

PROCESS SERVED ON: CT Corporation System, Olympia, WA

DATE/METHOD OF SERVICE: By Process Server on 10/12/2023 at 12:35

JURISDICTION SERVED: Washington

ACTION ITEMS: CT will retain the current log

Image SOP

Email Notification, PSORisk ManagementServiceofProces
 psorisk.managementserviceofprocess@providence.org

Email Notification, Christina Benedict christina.benedict@providence.org

Email Notification, Bonnie Harrison bonnie.harrison@providence.org

Email Notification, Katina Thornock katina.thornock@providence.org

REGISTERED AGENT CONTACT: C T Corporation System
 711 Capitol Way S
 Suite 204
 Olympia, WA 98501
 877-564-7529
 MajorAccountTeam2@wolterskluwer.com

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PROCESS SERVER DELIVERY DETAILS

Date: Thu, Oct 12, 2023
Server Name: Drop Service

Entity Served	PROVIDENCE ST. JOSEPH HEALTH FOUNDATION
Case Number	N/A
Jurisdiction	WA

Inserts		



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

SHANNON SPENCER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

PROVIDENCE ST. JOSEPH HEALTH
FOUNDATION, a Washington nonprofit
corporation doing business as PROVIDENCE;
and DOES 1-20,

Defendants.

No.

SUMMONS (20 DAYS)

TO: PROVIDENCE ST. JOSEPH HEALTH FOUNDATION, a Washington nonprofit
corporation doing business as PROVIDENCE.

A lawsuit has been started against you in the above entitled court by the above-captioned
plaintiff. Plaintiff's claims are stated in the written complaint, a copy of which is served upon
you with this summons.

In order to defend against this lawsuit, you must respond by stating your defense in
writing, and serve a copy upon the person signing this summons within 20 days after the service
of this summons, excluding the day of service, or a default judgment may be entered against you
without notice. A default judgment is one where the plaintiff is entitled to what he asks for

SUMMONS (20 DAYS) - 1

EMERY | REDDY, PLLC
600 Stewart Street, Suite 1100
Seattle, WA 98101
PHONE: (206) 442-9106 • FAX: (206) 441-9711

1 because you have not responded. If you serve a notice of appearance on the undersigned person,
2 you are entitled to notice before a default judgment may be entered.

3 You may demand that the plaintiff file this lawsuit with the court. If you do so, the
4 demand must be in writing and must be served upon the person signing this summons. Within
5 14 days after you serve the demand, the plaintiff must file this lawsuit with the court, or the
6 service on you of this summons and complaint will be void.

7 If you wish to seek the advice of an attorney in this matter, you should do so promptly so
8 that your written response, if any, may be served on time.

9 This summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of The State
10 of Washington.

11
12 DATED October 10, 2023.

EMERY | REDDY, PLLC

13
14 By: /s/ Timothy W. Emery
15 Timothy W. Emery, WSBA No. 34078
16 Patrick B. Reddy, WSBA No. 34092
17 Paul Cipriani, WSBA No. 59991
18 Emery Reddy, PLLC
19 600 Stewart Street, Suite 1100
20 Seattle, WA 98101
21 Phone: (206) 442-9106
22 Fax: (206) 441-9711
23 Email: emeryt@emeryreddy.com
24 Email: reddyp@emeryreddy.com
25 Email: paul@emeryreddy.com
26 *Attorneys for Plaintiff Shannon Spencer
and the Class*

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

SHANNON SPENCER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

PROVIDENCE ST. JOSEPH HEALTH
FOUNDATION, a Washington nonprofit
corporation doing business as PROVIDENCE;
and DOES 1-20,

Defendants.

No.

CLASS ACTION COMPLAINT FOR
DAMAGES, INJUNCTIVE RELIEF,
AND DECLARATORY RELIEF

Plaintiff Shannon Spencer, on behalf of himself and all others similarly situated (the “Class”), by and through counsel, brings this Class Action Complaint against the above-captioned Defendant (“Defendant”) and alleges, upon personal knowledge as to Plaintiff’s own actions and Plaintiff’s counsel’s investigations, and upon information and belief as to all other matters, as follows:

I. NATURE OF THE CASE

1. Effective January 1, 2023, employers must disclose in each posting for each job opening, the wage scale or salary range and a general description of all of the benefits and other compensation to be offered to the hired applicant. RCW 49.58.110(1).

2. The Washington Legislature finds that “despite existing equal pay laws, there continues to be a gap in wages and advancement opportunities among workers in Washington.”

CLASS ACTION COMPLAINT FOR DAMAGES,
INJUNCTIVE RELIEF, AND DECLARATORY RELIEF - 1

EMERY | REDDY, PLLC
600 Stewart Street, Suite 1100
Seattle, WA 98101
Phone: (206) 442-9106 • Fax: (206) 441-9711

1 RCW 49.58.005(1). The Legislature further finds that “lower starting salaries translate into lower
2 pay, less family income, and more children and families in poverty.” RCW 49.58.005(3)(b).

3 3. “Some folks do not have the networks or ability to negotiate salaries. Salaries vary
4 wildly in companies within the same industry and applicants do not have the ability to know what
5 the value of the position is.” H.B. Rep. ESSB 5761, at 2 (Wash. 2022). The Equal Pay and
6 Opportunities Act (“EPOA”) “allows a discussion at the start of the process instead of after an
7 offer has been made, which will increase the ability to negotiate pay.” *Id.* Additionally, “[m]any
8 candidates spend hours going through rounds of interviews only to find out they can’t live on the
9 offered pay.” S.B. Rep. ESSB 5761, at 3 (Wash. 2022). The EPOA makes Washington “more
10 competitive for job seekers...” *Id.*

11 4. This is a class action on behalf of individuals who applied to job openings with the
12 Defendant where the job postings did not include the wage scale or salary range in direct violation
13 of RCW 49.58.110.

14 II. JURISDICTION AND VENUE

15 5. This Court has jurisdiction over this cause of action pursuant to RCW 2.08.010.

16 6. Venue is proper in this Court pursuant to RCW 4.12.025 because the acts and
17 omissions alleged took place, in whole or in part, in King County, Washington, and Defendant
18 resides and transacts business in King County, Washington.

19 7. Federal jurisdiction is inappropriate under the Class Action Fairness Act, 28
20 U.S.C. § 1332(d)(4)(A), because: (a) Defendant is a Washington entity; (b) all members of the
21 Class are applicants of a Washington employer, or were applicants of a Washington employer, at
22 all times relevant to their interactions with Defendant; (c) Defendant is registered to conduct
23 business, and regularly transacts business, within Washington; (d) the alleged conduct of
24 Defendant occurred within Washington; (e) the injuries to Plaintiff and the Class occurred within
25 Washington; and (f) during the three-year period preceding the filing of this action, no other class
26 action has been filed asserting the same or similar factual allegations against Defendant on behalf
27 of the same persons.

III. PARTIES

8. Plaintiff Shannon Spencer is a resident of King County, Washington and applied to work for Defendant at its location in Seattle, Washington.

9. Defendant is a nonprofit corporation doing business as Providence. Defendant regularly transacts business in King County, Washington and has multiple locations for the transaction of business in King County, Washington, including at 1901 Lind Avenue SW, Renton, Washington 98057.

10. Plaintiff is currently unaware of the true names and capacities, whether individual, corporate, associate, or otherwise, of the defendants sued herein under fictitious names Does 1-20, inclusive, and therefore sues such defendants by such fictitious names. Plaintiff will seek leave to amend this Complaint to allege the true names and capacities of the fictitiously named defendants when their true names and capacities have been ascertained. Plaintiff is informed and believes, and thereon alleges, each of the fictitiously named defendants is legally responsible in some manner for the events and occurrences alleged herein, and for the damages suffered by Plaintiff and the Class.

IV. FACTS APPLICABLE TO THE CLASS AND ALL CAUSES OF ACTION

11. Effective January 1, 2023, all Washington employers are required to disclose in each posting for each job opening the wage scale or salary range, and a general description of all of the benefits and other compensation to be offered to the hired applicant. RCW 49.58.110.

12. For the purposes of RCW 49.58.110, "posting" means any solicitation intended to recruit job applicants for a specific available position, including recruitment done directly by an employer or indirectly through a third party, and includes any postings done electronically, or with a printed hard copy, that includes qualifications for desired applicants. RCW 49.58.110(1).

13. Defendant employs more than 15 individuals.

14. From January 1, 2023 to the present, Plaintiff and more than 40 Class members applied to job openings with Defendant for positions located in Washington state where the postings did not disclose the wage scale or salary range.

1 15. On or about August 28, 2023, Plaintiff applied for a job opening of IS Support
2 Specialist in King County, Washington with Defendant. The posting for the job opening did not
3 disclose the wage scale or salary range.

4 16. Plaintiff and the Class members lost valuable time applying for jobs with
5 Defendant for which the wage scale or salary range was not disclosed to them.

6 17. As a result of Plaintiff's and Class members' inability to evaluate the pay for the
7 position, negotiate that pay, and compare that pay to other available positions in the marketplace,
8 Plaintiff and the Class members were harmed.

9 18. As a result of Defendant's actions and omissions, Plaintiff and the Class have been
10 damaged in amounts to be proven at trial.

11 **V. CLASS ACTION ALLEGATIONS**

12 19. Class Definition. Under Civil Rule 23(a) and (b)(3), Plaintiff brings this case as a
13 class action against Defendant on behalf of the Class defined as follows (the "Class"):

14 All individuals who, from January 1, 2023 through the date notice
15 is provided to the Class, applied for a job opening in the State of
16 Washington with Defendant, where the job posting did not disclose
 the wage scale or salary range for the position.

17 20. Excluded from the Class are the Defendant and Defendant's officers, directors, and
18 independent contractors, and any judge to whom this case is assigned, as well as his or her staff
19 and immediate family.

20 21. Numerosity. There are potentially hundreds of individuals who applied for jobs
21 with Defendant within the time period relevant to this matter. Joinder of all such individuals is
22 impracticable. Further, the disposition of all claims of the Class in a single action will provide
23 substantial benefits and efficiency to all parties and to the Court.

24 22. Commonality. Because all applicants applied for job openings that did not disclose
25 the wage scale or salary range, this is a straightforward matter of determining whether Defendant's
26 actions violate Washington law, and, if so, assessing damages.

1 23. Typicality. Plaintiff's claims are typical of the claims of the Class. Plaintiff and
2 Class members all applied for job openings with Defendant that did not disclose the wage scale or
3 salary range.

4 24. Adequacy. Plaintiff will fairly and adequately protect the interests of the Class.
5 Plaintiff has retained competent and capable attorneys with substantial experience in complex
6 class action litigation. Plaintiff and Plaintiff's counsel are committed to prosecuting this action
7 vigorously on behalf of the Class and have the financial resources to do so. Neither Plaintiff nor
8 Plaintiff's counsel have interests that are contrary to or that conflict with those of the Class.

9 25. Predominance. Defendant has engaged in a common course of conduct of failing
10 to disclose the wage scale or salary range in job postings in violation of RCW 49.58.110. The
11 common issues arising from Defendant's unlawful conduct affect Plaintiff and Class members and
12 predominate over any individual issues. Adjudication of these common issues in a single action
13 has the important and desirable advantage of judicial economy.

14 26. Superiority. Plaintiff and the Class have suffered, and will continue to suffer, harm
15 and damages as a result of Defendant's unlawful and wrongful conduct. Absent a class action,
16 however, most Class members would find the cost of litigating their claims prohibitive, especially
17 when that cost is balanced against each individual's respective potential award. Class treatment is
18 superior to multiple individual suits or piecemeal litigation because it conserves judicial resources,
19 promotes consistency and efficiency of adjudication, provides a forum for claimants with smaller
20 cases and those with few resources, and deters illegal activities. There will be no significant
21 difficulty in the management of this case as a class action. The Class members and the job postings
22 to which they applied are readily identifiable through Defendant's own records.

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VI. CAUSES OF ACTION

FIRST CAUSE OF ACTION
VIOLATION OF RCW 49.58.110
Claim of Relief for Plaintiff and the Class

27. Plaintiff incorporates by reference all foregoing factual allegations.

28. As described more fully above, Defendant did not disclose the wage scale or salary range in its job postings.

29. On or after January 1, 2023, Plaintiff and the Class applied for job openings with the Defendant where the postings did not disclose the wage scale or salary range.

30. Defendant's actions and/or omissions violate RCW 49.58.110.

31. As a result of Defendant's actions and omissions, Plaintiff and the Class have been damaged in amounts to be proven at trial.

SECOND CAUSE OF ACTION
INJUNCTIVE RELIEF
Claim of Relief for Plaintiff and the Class

32. Plaintiff incorporates by reference all foregoing factual allegations.

33. Plaintiff and the Class are entitled to an injunction prohibiting Defendant from further violations of Washington law. Specifically, Plaintiff seeks injunctive relief to require Defendant to disclose in each posting for each job opening the wage scale or salary range.

THIRD CAUSE OF ACTION
DECLARATORY RELIEF
Claim of Relief for Plaintiff and the Class

34. Plaintiff incorporates by reference all foregoing factual allegations.

35. Plaintiff and the Class are entitled to a declaration that Defendant's practice of failing to disclose in each posting for each job opening the wage scale or salary range is illegal.

36. Plaintiff and the Class are entitled to a final judicial determination of the amounts owing to Plaintiff and the Class as a result of Defendant's failure to disclose in each posting for each job opening the wage scale or salary range.

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VII. REQUEST FOR RELIEF

Plaintiff, individually and on behalf of the members of the Class, requests that the Court enter judgment against Defendant as follows:

1. An Order certifying that this action be maintained as a class action and appointing Plaintiff as Class Representative and Plaintiff's counsel as Class Counsel;

2. Statutory damages equal to Plaintiff's and the Class members' actual damages or five thousand dollars, whichever is greater, pursuant to RCW 49.58.070(1);

3. Costs and reasonable attorneys' fees pursuant to RCW 49.58.070(1);

4. Preliminary and permanent injunctive relief prohibiting, restraining, and enjoining Defendant from engaging in the conduct complained of herein, including, but not limited to, an Order requiring Defendant to disclose in each posting for each job opening the wage scale or salary range;

5. Declaratory relief to the effect that Defendant's failure to disclose in each posting for each job opening the wage scale or salary range violates Washington law;

6. Pre- and post-judgment interest;

7. Leave to amend the Complaint to conform to the evidence; and

8. Any additional or further relief which the Court deems equitable, appropriate, or just.

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1 DATED October 10, 2023

EMERY | REDDY, PLLC

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3 By: /s/ Timothy W. Emery
4 Timothy W. Emery, WSBA No. 34078
5 Patrick B. Reddy, WSBA No. 34092
6 Paul Cipriani, WSBA No. 59991
7 Emery Reddy, PLLC
8 600 Stewart Street, Suite 1100
9 Seattle, WA 98101
10 Phone: (206) 442-9106
11 Fax: (206) 441-9711
12 Email: emeryt@emeryreddy.com
13 Email: reddyp@emeryreddy.com
14 Email: paul@emeryreddy.com
15 *Attorneys for Plaintiff Shannon Spencer*
16 *and the Class*
17
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19
20
21
22
23
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25
26
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